



Kentucky Board of Medical Licensure Newsletter

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Spring 2015

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Board Announces New Regulation on Professional Standards for Prescribing or Dispensing Buprenorphine –Mono Product or Buprenorphine-Combined-with-Naloxone

The Board is pleased to announce that it recently completed work on a new regulation, 201 KAR 9:270, which addresses the professional standards for prescribing or dispensing Buprenorphine-Mono Product or Buprenorphine-Combined-with-Naloxone. As stated, the work on this regulation is completed and it is now in effect.

The Board strongly recommends that all Kentucky licensed physicians that hold a waiver and license issued by the Drug Enforcement Agency (DEA) to prescribe this type of medication to review and become familiar with this regulation. A copy of it can be found on the Board's website at www.kbml.ky.gov.

As many physicians are aware, the Board had previously addressed this issue through its Board Opinion on the Use of Suboxone and Buprenorphine. Please note that 201 KAR 9:270 replaces the Board Opinion on this issue and the Board considers the professional standards established by it to be the acceptable and prevailing medical practice within the Commonwealth.

The Board would like thank all the physicians that participated in this process and provided guidance on this issue. Specifically, the Board would also like to thank the Kentucky Society of Addiction Medicine for their contributions.

Alert on Counterfeit Botox

The Board would like to advise all of its licensees to be on alert for counterfeit versions of Botox possibly being sold to U.S. medical practices. The FDA is warning that the products – sold by an unlicensed supplier – are considered unsafe and should not be used.

The FDA cannot confirm that the manufacture, quality, storage and handling of these products follow U.S. standards. To identify the counterfeit product, the FDA recommends to check for the following:

- The vial is missing the lot number.
- The outer carton does not have any entries next to the words LOT, MFG and EXP.
- The outer carton and vial display the active ingredient as "Botulinum Toxin Type A" instead of "OnabotulinumtoxinA."

The FDA cautions that purchases from foreign or unlicensed sources may be misbranded, adulterated, counterfeit, contaminated, improperly stored and transported, ineffective and/or unsafe. It notes that medical practices that buy and administer these illegal and unapproved medications from foreign or unlicensed sources are putting their patients' health at risk.

For more information on this, please visit www.fda.gov.

Board Orders can be viewed under the Physician Profile/
Verification of License link on the Board's website at
www.kbml.ky.gov

Board Action Report (actions taken since 01/01/15)

Morgan Budde, M.D., Mt. Sterling, KY, License # 43121
Agreed Order entered into 02/09/15.

Michael Chesnut, M.D., Lexington, KY, License # 29325
Agreed Order entered into 02/09/15.

Leslie G.M.V. Dally, D.O., Paintsville, KY, License # 03348
Agreed Order entered into 02/02/15.

James H. Heapthy, M.D., Lexington, KY, License # 26270
Second Amended Agreed Order entered into 01/28/15.

James K. Holbrook, M.D., Corbin, KY, License # 27278
Third Amended Agreed Order of Indefinite Restriction
entered into 03/26/15.

Brandon L. Houk, M.D., Elizabethtown, KY, License # 41925
Amended Agreed Order entered into 02/02/15.

Jody M. Johnson, D.O., Prestonsburg, KY, License # 02979
Agreed Order entered into 03/19/15.

A. Barry Klein, M.D., Louisville, KY, License # 24316
Order Reinstating Suspended License issued
01/13/15.

A. Barry Klein, M.D., Louisville, KY, License # 24316
Agreed Order entered into 01/13/15.

Samuel B. Kriegler, M.D., Lebanon, KY, License # 46375
Agreed Order entered into 02/09/15.

Samuel B. Kriegler, M.D., Lebanon, KY, License # 46375
Order Terminating Order Granting License Subject to
Conditions issued 03/25/15.

Paul D. Lopreato, PA-C, Florence, KY, License # PA735
Fifth Amended Agreed Order entered into 02/24/15.

Michael C. Macatol, M.D., Columbus, OH, License # 38999
Agreed Order entered into 02/09/15.

Arthur Neal Mack, M.D., Belleair Beach, FL, License # 48072
Agreed Order of Fine entered into 03/27/15.

Philip B. May, Jr., M.D., Louisville, KY, License # 48073
Agreed Order entered into 03/27/15.

Gregory E. Mick, D.O., Lexington, KY, License # 02503
Agreed Order entered into 03/19/15.

Charles E. Oates, M.D., Louisville, KY, License # 21469
Agreed Order of Retirement entered into 03/19/15.

John C. O'Connell, M.D., Lexington, KY, License # 35641
Order of Indefinite Restriction issued 03/23/15,
effective 03/23/15.

Nikhil S. Parulekar, D.O., Corbin, KY, License # 02630
Order Suspending License Pursuant to 201 KAR 9:310
issued 02/25/15, effective 02/27/15.

Philip L. Roberts, M.D., Brentwood, TN, License # 24979
Order of Indefinite Restriction issued 03/23/15, effective
03/23/15.

Luis R. Rosas S., M.D., West Palm Beach, FL
Order Denying Application for Licensure issued
01/07/15., effective 01/07/15.

John P. Short, D.O., Lavalette, WV, License # 03042
Amended Agreed Order entered into 01/07/15.

Tina F. Simpson, M.D., Louisville, KY, License # 31256
Amended Agreed Order entered into 03/26/15.

Canh Jeff Van Vo, D.O., Elizabethtown, KY, License # 02626
Agreed Order entered into 01/06/15.

Richard T. Wan, M.D., Morgantown, KY, License # 16599
Order of Indefinite Restriction issued 01/16/15,
effective 02/19/15.

Gregory L. Ward, D.O., Owensboro, KY, License # 02763
Order Suspending License Pursuant to 201 KAR 9:310
issued 02/25/15, effective 03/05/15.

Dean J. Wickel, M.D., Louisville, KY, License # 30539
Order Terminating Amended Agreed Order issued
01/07/15.

**Randall Gregory Whitlock, Jr., PA-C, West Chester, OH,
License # PA904**
Agreed Order entered into 03/19/15.

**Restrictions have also been placed on the following physi-
cians' licenses pending resolution of charges brought against
them.**

Jaime M. Guerrero, M.D., Louisville, KY, License # 30735
Emergency Order of Suspension issued 01/22/15,
effective 01/22/15.

Gloria V. Staples, M.D., Hopkinsville, KY, License # 40217
Amended Complaint and Amended Emergency Order
of Suspension issued 12/22/14, effective 01/22/15.

Legislation Passed Involving Supervision of Physician Assistants

During the 2015 legislative session of the Kentucky
General Assembly, HB 258, sponsored by Rep. Denver
Butler, was approved by lawmakers and signed by Governor
Beshear. This legislation amends KRS 311.854 to allow a
physician to supervise up to four physician assistants at the
same time. Please note that this legislative change goes
into effect on June 24, 2015.

2015 Annual Renewal of Physician Licenses

Annual renewal of physician licenses for the current year has just been completed. The Board is pleased to announce that 95% of physicians utilized the on-line renewal service this year. As of April 3, 2015, a total of 15,626 physicians have renewed their medical/osteopathic license. This reflects an increase of 26 over last year's total for the same period. Of the total, 10,064 physicians reported a practice address in Kentucky.

Medical Status	In State	% of Total	Out of State	% of Total
Private Practice	4,792	45.10%	1,641	32.81%
Hospital Based	2,722	25.62%	1,257	25.13%
Faculty	881	8.29%	207	4.14%
Resident or Fellow	303	2.85%	40	0.80%
Emergency Medicine	515	4.85%	201	4.02%
Public Health/Government	298	2.80%	142	2.84%
Administration	98	0.92%	132	2.64%
Occupational Medicine	66	0.62%	47	0.94%
Military	26	0.24%	46	0.92%
Research	17	0.16%	10	0.20%
Locum Tenens	105	0.99%	280	5.60%
Semi-Retired	151	1.42%	53	1.06%
Telemedicine	26	0.24%	748	14.96%
Retired	561	5.28%	145	2.90%
Other	64	0.60%	52	1.04%
Total:	10,625	100.00%	5,001	100.00%

Physicians' Sex

Male Physicians	7,648	71.98%	3,815	76.28%
Female Physicians	2,977	28.02%	1,186	23.72%
Total:	10,625	100.00%	5,001	100.00%

Physicians' Degree

Physicians with M.D.	9,965	93.79%	4,686	93.70%
Physicians with D.O.	660	6.21%	315	6.30%
Total:	10,625	100.00%	5,001	100.00%

Medical School Attended

Kentucky	4,381	41.23%	646	12.92%
U.S.	3,967	37.34%	3,180	63.59%
International/Canada	2,277	21.43%	1,175	23.50%
Total:	10,625	100.00%	5,001	100.00%

Reminder Regarding Need to Notify Board of Change in Address

The Board would like to remind all physicians that according to KRS 311.586: Every physician who is practicing medicine or osteopathy in this state shall report to the Board the address or addresses at which he maintains an office, and every new licensee shall make the same report within 90 days after commencing the practice of medicine or osteopathy in this state. Every physician who, after notifying the Board of his official address or addresses, moves his office to a new address shall immediately notify the Board of the change.

The Board would like to stress the importance of this requirement for all physicians, including locum tenens physicians. Any licensed physician may update their address by simply going to the Board's website at www.kbml.ky.gov or complete the form on the last page of this Newsletter and forward to the Board.

Reminder about Board Telemedicine Opinion

With the growing use of telemedicine and new technology in the delivery of medical services throughout Kentucky and the nation, the Board wanted to remind its licensees that it has adopted a Board Opinion on the issue. The Board, at its June 19, 2014 meeting, adopted an Opinion Regarding the Use of Telemedicine Technologies in the Practice of Medicine. Pursuant to KRS 311.602, the Board adopted this opinion to assist its licensees in determining what actions would constitute unacceptable conduct under the provisions of KRS 311.595 and/or KRS 311.597. This opinion is not a statute or administrative regulation and it does not independently have the force of law.

The Board recognizes that using telemedicine technologies in the delivery of medical services offers potential benefits in the provision of medical care. As a result, the Board has adopted this opinion to educate its licensees as to the appropriate use of telemedicine technologies in the practice of medicine. The Board is committed to assuring patient access to the convenience and benefits afforded by telemedicine technologies, while promoting the responsible practice of medicine by physicians. All physicians are encouraged to review this opinion, which is available on the Board's website under Board Information and then clicking on "Opinions and Policy Statements."

Reminder on Requirement to Report Board Actions and Criminal Actions Within 10 Days

The Board would also like to offer a quick reminder to its licensees that according to 201 KAR 9:081, every person licensed to practice medicine or osteopathy within the Commonwealth of Kentucky shall report to the Board any criminal conviction or plea of guilt, nolo contendere, or Alford plea to any criminal charges, regardless of adjudication, within ten (10) days of the entry of judgment of conviction or the entry of the plea, entered into in any state. As part of this reporting, the licensee shall provide a copy of the judgment of conviction or plea documents. In addition, the regulation requires that every person licensed to practice medicine or osteopathy within the Commonwealth of Kentucky shall report to the Board within ten (10) days of receipt, notice of any disciplinary action taken or sanction imposed upon the person's license in any state, including surrendering a license or placing a license into inactive or retired status to resolve a pending licensing investigation. As part of this reporting requirement, the licensee shall provide a copy of the order issued by or entered into with the other licensing board.

Please note that failure to report a criminal conviction or plea, or action taken by another licensing board, as required of an applicant by paragraphs (a) through (c) of this subsection, shall constitute a violation of KRS 311.595(9) and (12). A copy of 201 KAR 9:081 can be reviewed at the Board's website.

FDA Notice on Risk of Lead Poisoning in Children Posed by Use of Bo Ying Compound

Bo Ying Compound, a powdered product marketed for treatment of various ailments in infants and children, may contain excessive levels of lead. The product is labeled in Chinese and English and is marketed in retail outlets and online. The label says the product should be given to infants and children for influenza, fever, sneezing and nasal discharge. The FDA is asking public health officials nationwide to warn parents and caregivers not to use Bo Ying Compound, due to the potential risk of lead poisoning.

Health Care professionals and consumers are encouraged to report to the FDA any adverse events potentially related to "Bo Ying compound" manufactured by Eu Yan Sang (Hong Kong) Ltd. or to any other alternative medicines to FDA's MedWatch Adverse Event Reporting program at www.fda.gov.

Faculty/Training License Renewal

The link to renew a Faculty (FL), Residency (R) or Institutional Permit Training License (IP) in Kentucky is currently active. All physicians holding a Faculty or Training license must be renewed by June 30, 2015. The fee to renew this license is \$65.00. Please visit our website for additional information.

Kentucky Board of Medical Licensure
310 Whittington Pkwy., #1B
Louisville, KY 40222

Change of Address Notice

Please Note: The information that you provide on this Change of Address Notice will be used to update your profile on the Board's web site at www.kbml.ky.gov.

You may also change your address online <http://kbml.ky.gov/address/Pages/default.aspx>

(Please Print or Type Information)

Date: _____ KY License Number: _____

Name: _____
(Last) (First) (Middle)

Mailing Address: _____
(Street)

(City) (State) (Zip)

Practice Address: _____
(Street)

(City) (State) (Zip)

Practice County: _____

Office Phone Number: _____

Email Address: _____
(Email address is not published)